

In 2013, Bosnia and Herzegovina (BiH) made a moderate advancement in efforts to eliminate the worst forms of child labor. Republika Srpska (RS) and the Brcko District (BD) adopted amendments to their criminal codes that harmonize their legal framework on trafficking in persons with the law at the State level. The Government adopted the Strategy for Combatting Trafficking in Human Beings and its Action Plan for 2013-2015. The Government also provided \$1.4 million for housing projects for the Roma community and appointed a National Coordinator for the Action Plan under the Decade of Roma Inclusion. However, children in BiH continue to engage in the worst forms of child labor in begging and commercial sexual exploitation as a result of trafficking. The Government does not have a comprehensive list of hazardous occupations and activities prohibited for children. Additionally, the number of social protection centers that provide services to vulnerable children, including those found in begging is inadequate.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bosnia and Herzegovina (BiH) are engaged in the worst forms of child labor in begging and commercial sexual exploitation as a result of human trafficking.(1-3) Table 1 provides key indicators on children's work and education in BiH. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	8.9 (44,017)
Attending School (%)	5-14 yrs.	83.7
Combining Work and School (%)	7-14 yrs.	10.6
Primary Completion Rate (%)		Unavailable

Source for primary completion rate: UNESCO Institute for Statistics, 2014.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple indicator Cluster Survey 3, 2006.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Services	Begging (6, 7)
	Begging and domestic service* as a result of human trafficking (8, 9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (2, 7)
	Used for pickpocketing* (7)
	Used in the production of pornography* (10)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C.182.

Most children in BiH who are found in the worst forms of child labor are Roma.(6, 7) Roma children are sometimes used by their parents or guardians to beg.(6) Organized groups also exist that traffic ethnic Roma children and force them to beg.(1, 11) In addition, the Roma custom of paid and arranged marriages between families has resulted in

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the exploitation of Roma girls as domestic servants.(2, 12, 13) There is a lack of data on the extent and nature of the worst forms of child labor in the country, including the use of children in pickpocketing and commercial sexual exploitation.(6, 13)

Many Roma children do not attend school, which makes them vulnerable to the worst forms of child labor.(8, 11, 14) Obstacles such as a lack of culturally sensitive curriculum and support programs, as well as language barriers, still prevent Roma children and other minorities from attending and cause some children to drop out of school.(14, 15) Undocumented children, many of whom are Roma, also cannot access education.(8) Poverty is an additional barrier to accessing quality education for Roma children in BiH.(14)

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Bosnia and Herzegovina has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The State of BiH consists of two entities— the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS) —and a self-governing district, the Brčko District (BD).(16) Criminal laws at the State, entity, and district levels regulate issues related to the worst forms of child labor. The entities and district are responsible for regulating labor issues.(17) The State of BiH has established relevant laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Related Entity	Yes/No	Age	Related Legislation
Minimum Age for Work	Federation of Bosnia and Herzegovina (FBiH)	Yes	15	Article 15 of the Labor Law of the Federation of Bosnia and Herzegovina FBiH (18)
	Republika Srpska (RS)	Yes	15	Article 14 of the Labor Law of Republika Srpska (19)
	Brčko District (BD)	Yes	15	Article 10 of the Labor Law of Brcko District (20)
Minimum Age for Hazardous Work	FBiH	Yes	18	Articles 15, 32, 36, and 51 of the Labor Law of the Federation of Bosnia and Herzegovina (18)
	RS	Yes	18	Article 69 of the Labor Law of Republika Srpska (19)
	BD	Yes	18	Articles 28 and 41 of the Labor Law of Brcko District (20)
List of Hazardous Occupations Prohibited for Children	FBiH	No		
	RS	No		
	BD	No		
Prohibition of Forced Labor	FBiH	Yes		Article II of the Constitution of Bosnia and Herzegovina (17)
	RS	Yes		Article II of the Constitution of Bosnia and Herzegovina (17)
Prohibition of Forced Labor	BD	Yes		Article II of the Constitution of Bosnia and Herzegovina (17)

Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Related Entity	Yes/No	Age	Related Legislation
Prohibition of Child Trafficking	Bosnia and Herzegovina (BiH)	Yes		Articles 185-188 of the Criminal Code of Bosnia and Herzegovina (21)
	FBiH	No		
	RS	Yes		Article 198b of the Criminal Code of Republika Srpska (22)
	BD	Yes		Article 207a of the Criminal Code of Brcko District (23)
Prohibition of Commercial Sexual Exploitation of Children	BiH	Yes		Article 187 of the Criminal Code of Bosnia and Herzegovina (21)
	FBiH	Yes		Article 210-211 of the Criminal Code of the Federation of Bosnia and Herzegovina (24)
	RS	Yes		Articles 198-200 of the Criminal Code of Republika Srpska (25)
	BD	Yes		Articles 186 and 207-209 of the Criminal Code of Brcko District (26)
Prohibition of Using Children in Illicit Activities	BiH	No		
	FBiH	No		
	RS	Yes		Articles 198b and 224 of the Criminal Code of Republika Srpska (25)
	BD	No		
Minimum Age for Compulsory Military Recruitment	BiH	N/A*(7)		
	FBiH	N/A*(7)		
	RS	N/A*(7)		
	BD	N/A*(7)		
Minimum Age for Voluntary Military Service	BiH	Yes	18	Article 9 of the Law on the Service in the Armed Forces of Bosnia and Herzegovina (27, 28)
	FBiH	Yes	18	Article 9 of the Law on the Service in the Armed forces of Bosnia and Herzegovina (27)
	RS	Yes	18	Article 9 of the Law on the Service in the Armed Forces of Bosnia and Herzegovina (27)
	BD	Yes	18	Article 9 of the Law on the Service in the Armed Forces of Bosnia and Herzegovina (27)
Compulsory Education Age	FBiH	Yes	15	Article 16 of the Framework Law On Primary and Secondary Education in Bosnia and Herzegovina (29)
	RS	Yes	15	Article 16 of the Framework Law On Primary and Secondary Education in Bosnia and Herzegovina (29)
	BD	Yes	15	Article 16 of the Framework Law On Primary and Secondary Education in Bosnia and Herzegovina (29)
Free Public Education	FBiH	Yes		Article 16 of the Framework Law On Primary and Secondary Education in Bosnia and Herzegovina (29)
	RS	Yes		Article 16 of the Framework Law On Primary and Secondary Education in Bosnia and Herzegovina (29)
	BD	Yes		Article 16 of the Framework Law On Primary and Secondary Education in Bosnia and Herzegovina (29)

* No conscription or no standing military.

Neither of the entities nor BD has issued or enacted a list of hazardous occupations or activities prohibited for children.(3)

BiH law prohibits both domestic and international trafficking in persons. The Governments of BiH, the entities, and BD agreed in 2011 that BiH law would be used in cases of international trafficking, but that entity and BD laws should be adopted to cover domestic trafficking.(2, 21) In 2013, RS and the BD amended their Criminal Code to criminalize all forms of trafficking, including the trafficking of minors under 18 for the purpose of exploitation. FBiH is in process of amending their own legal framework to prohibit trafficking, but such amendments were not adopted

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during the reporting period.(2, 7)

The Criminal Codes of BiH, FBiH, RS, and BD prohibit incitement to prostitution, forcing someone into prostitution, and turning a person over to a third party for the purpose of prostitution. However, Federation Law on Public Peace and Order considers prostitution to be a misdemeanor, which may result in minors under 18 involved in commercial sexual exploitation being charged with a crime.(30, 31) The anti-trafficking amendment adopted by BD during the year penalizes the use of a child who is a victim of trafficking for sexual services, and the amendment by RS penalizes the same offense if the perpetrator is aware that the child is a trafficking victim. However, research found no evidence of any penalties for using the services of a child prostitute in FBiH and BD laws.(21, 22, 24-26)

In addition, while FBiH, and BD have laws to prohibit the illicit trafficking of narcotics, they do not include provisions to prohibit the use, procuring, or offering of a child for this offense.(3) FBiH and BD also do not have legal provisions against the use of a child for other illicit activities.(24, 26)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
FBiH Ministry of Labor and Social Policy	Enforce labor laws, including those on child labor, in FBiH.(7)
RS Ministry of Labor and Veterans	Enforce labor laws, including those on child labor, in RS.(7)
BD Administrative Support Department	Enforce labor laws, including those on child labor, in BD.(7)
Entity- level police	Enforce criminal laws against trafficking, forced labor, prostitution, and begging.(2, 32)
State Investigative and Protection Agency (SIPA) and State Border Police (SBP)	Investigate trafficking crimes and enforce laws against trafficking (SIPA).(2, 30) Identify trafficking victims at the border (SBP).(30)
State and Entity-level Prosecutors' Offices	Prosecute trafficking, forced labor, prostitution, and begging cases at their respective levels, based on applicable laws.(2, 7, 30, 32)

Law enforcement agencies in Bosnia and Herzegovina took actions to combat child labor, including its worst forms.

Labor Law Enforcement

FBiH, RS, and BD have a total of 121 labor inspectors.(7) Officials in these Ministries have reported that these numbers are adequate and that they have sufficient resources to carry out inspections. Although child labor is not common in the formal sector in which labor inspections take place, labor inspectors undergo training for detection of child labor violations.(7) It has been reported that inspectors have to seek prior supervisory approval to enter inspection sites in some regions of the country. A 2012 labor inspection audit also found that in the two entities, inspectors are sometimes required to announce their intent to visit worksites prior to inspections.(33)

During the reporting period, labor inspectors confirmed that they did not find any cases of child labor, however child labor in BiH is most common in the informal sector, which is not subject to inspections.(7) In 2013, the Ministry of Human Rights and refugees (MHRR), with support from Save the Children, created a referral mechanism to provide assistance to children found begging on the street. However, in many cases, coordination among relevant agencies continues to be lacking.(30)

Criminal Law Enforcement

In 2013, the Government provided specialized training on recognition, investigation, and prosecution of trafficking to State and entity level law enforcement agencies, prosecutors, and judges.(2) Police and prosecutors at the various levels are responsible for investigating trafficking crimes and compiling information about them through the Anti-Trafficking Strike Force. Labor inspectors, however, are not part of the Strike Force.(2) If labor inspectors discover cases of forced begging that may be the result of trafficking, they are not required to investigate whether these are possible trafficking cases, which may result in misclassification of these crimes.(7)

During the reporting period the State Prosecutor's Office investigated 10 trafficking cases and had a conviction in one case, in which two individuals were sentenced to jail.(2) The entities and District prosecutors carried out 19 investigations against 35 persons, indicted 21 persons, and sentenced 4 persons to prison under their own Criminal Code provisions against pimping and pandering for prostitution.(2) Throughout the country, nine out of a total of 16 trafficking victims involved in cases in the justice system were minors and six of the minors were girls.(2) The victims of trafficking were subject to commercial sexual exploitation and forced begging however, research did not clarify which of these crimes involved children.(2)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established the Office of the State Coordinator for Combatting Trafficking in Persons, research found no evidence of coordinating mechanisms to combat child labor, including all its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Office of the State Coordinator for Combatting Trafficking in Persons	Coordinate anti-trafficking efforts with a number of ministries at the entity level as well as prosecutors, at the state, entity, and local levels.(7, 30) Chair the Anti-Trafficking Strike Force, which coordinates anti-trafficking enforcement efforts, as well as another working group that addresses prevention of trafficking and protection of victims.(2) Oversee the TIP database, which includes data from NGOs, SIPA, SBP, and police agencies and prosecutors' offices at all levels.(2) Oversee shelter management and monitor NGOs' compliance with the agreed provisions on victims' assistance.(2)
Inter-Ministerial Working Group (Monitoring Team)	Monitor implementation of the Strategy to Counter Trafficking in Human Beings and the Action Plan.(30)
Council for Children	Coordinate children's issues at the national level under the Action Plan for Children of Bosnia and Herzegovina.(34) Re-established in 2013.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Bosnia and Herzegovina has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
Decade for Roma Inclusion 2005-2015*	Aims to improve the socioeconomic status and social inclusion of Roma. Appointed a National Coordinator for the Decade of Roma Inclusion and revised its Action Plan for 2013-2016 in December 2013.(2, 30, 35) Includes 12 countries participants, counting BiH.(7, 15)
Action Plan for Children of Bosnia and Herzegovina 2011-2014*	Seeks to enhance institutional capacity, cross-sectoral cooperation, and coordination at all government levels to create favorable conditions for children and families as well as promote children's social inclusion and their general well-being.(6)
Strategy to Counter Trafficking in Human Beings and its Action Plan 2013-2015†	Focuses on comprehensive support, prevention, victim protection and assistance, criminal prosecution and international cooperation. Follows international standards set by the Council of Europe Convention on Actions Against Trafficking in Human Beings and the Palermo Protocol.(30) Allocated \$100,000 for the Plan's implementation, which builds upon the country's previous anti-trafficking plans, including the National Action Plan for Combatting Trafficking in Human Beings 2008-2012.(1, 2, 7, 30) Implemented and monitored by a team of several ministries.(2, 7)
Action Plan for Protection of Children and Prevention of Violence of Children and Prevention of Violence on Children through information-communication technology	Aims to improve system of child protection from pornography. Includes 40 different activities that need to be accomplished until the end of 2015.(30)
Policy for Protection of Children Deprived of Parental Care and Families at Risk of Separation in FBiH 2006-2016 and the Action Plan for the period 2013-2016*	Calls for the development of social protection systems to provide sufficient protection to children without parental care and children separated from their parents.(13)

* The impact of this policy on child labor does not appear to have been studied.

† Policy was launched during the reporting period.

An NGO evaluation of the Decade of Roma Inclusion showed that some progress had been made toward improving conditions for the Roma population, but that the Action Plan was not adequately implemented or funded, decreasing

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its impact.(36). In 2014, however, the Government revised its Action Plan and appointed a National Coordinator for the Decade of Roma Inclusion.(2)

In 2012, the UN CRC asserted that the fragmented administrative system of BiH creates technical, financial and authority issues that must be overcome to implement the Action Plan for Children.(13) It is too soon to determine what impact the re-activated Council for Children will have on implementation of the Plan.

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of BiH funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Ministry of Human Rights and Refugees (MHRR) Funding*†‡	MHRR housing project for the Roma community worth \$1.4 million. Implemented by MHRR and 23 NGOs.(7)
Registration Project*‡	MHRR and UNHCR project to promote registration of Roma that would ease Roma's access to social benefits.(37) In 2013, registered about 1,100 Roma for social assistance programs. Enabled 19,000 individuals to apply for social inclusion programs since the project initiation.(34)
Social Protection Centers‡	Government long and short term care for children seeking protection in "day care" and reception centers. In 2013, six such centers in FBiH and one in RS assisted 1,253 children.(13, 30, 34, 37)
Strengthening the Social Protection and Inclusion of Children in BiH‡	Government program to improve social protection systems at all levels of government, strengthen capacity of government agencies to provide for social protection and inclusion of children, and enhance coordination and communication between providers of social services and the responsible authorities at the local level. In 2013, continued with implementation of its third phase.(13) Under the program, MHRR and Save the Children (STC) conducted research on forced begging and street work and released the first report on the prevalence of forced labor. MHRR and STC also established a referral mechanism to provide assistance to children found begging on the street.(34) Program also developed and provided manuals to train judges, prosecutors, police and other relevant bodies on the subject of forced child labor on the streets.(34)
Assistance for trafficking victims‡	Government program that funds seven NGOs to provide shelter and services to both domestic and foreign trafficking victims. Provides counseling, education assistance, job training for domestic victims of human trafficking and, among other services, visa provision and legal services for foreign victims of human trafficking.(2) In 2013, provided \$128,000 for trafficking victims.(2) The State Coordinator expanded number of trafficking monitoring teams to include mental health professionals, developed guidelines on assisting trafficking victims for country's center on mental health, and trained mental health professionals, social workers, and law enforcement on trafficking.(2)
Implementation of the Strategy for Counter Trafficking in Human Beings for 2013-2015†	\$300,000 joint Government and USAID project to implement the new Strategy for Counter Trafficking in Human Beings for 2013-2015. Includes estimating the extent of trafficking in the country as well as trainings of ministries and other individuals on trafficking issues in order to raise public awareness within the frame of the Strategy.(2)

* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Bosnia and Herzegovina.

During the year, shelters assisted six trafficking victims, however research did not find the number of minors assisted in those shelters.(2) In the past, the Ombudsman for Human Rights attempted to collect data on child beggars from social service centers in five locations across the country. However, most of the social-service centers did not have statistical records due to insufficient financial and human capacity and the lack of jurisdiction on the issue of the rights of children who beg.(6)

BiH continues to lack government programs focusing on the worst forms of child labor, such as the use of children in begging and pick-pocketing. The Government has indicated that the number of centers that accommodate vulnerable children, including those found in begging, is inadequate.(6)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor,

including its worst forms, in Bosnia and Herzegovina (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Laws	Ensure that regulations exist in all entities that clearly describe the hazardous types of work prohibited to minors.	2009 – 2013
	Ensure that children engaged in prostitution are treated as victims rather than criminals under FBiH law.	2013
	Adopt proposed amendments to harmonize State and Federation of Bosnia and Herzegovina criminal laws to explicitly prohibit all forms of trafficking.	2011 – 2013
	Amend laws in FBiH and BD to penalize any use of a child for prostitution.	2013
	Ensure that minors are protected from being used, procured, or offered for illicit trafficking of drugs or for other illicit activities in FBiH and BD laws.	2011 – 2013
Enforcement	Ensure that sufficient investigation is conducted when children are found begging in the streets to determine whether these are possible trafficking cases.	2012 – 2013
	Ensure that labor inspectors do not require prior supervisory approval to conduct inspections and enable their free unannounced entry at inspection sites.	2013
	Collect complete data, disaggregated by age and type of trafficking (when applicable), for victims of trafficking, pimping, and pandering served by the justice system.	2013
	Improve coordination among relevant agencies to ensure children found in the worst forms of child labor are referred to appropriate services.	2013
Coordination	Establish coordinating mechanisms at the state and entity levels to combat all worst forms of child labor.	2009 – 2013
Government Policies	Assess the impact of policies aimed at assisting children and vulnerable populations, including the Roma population, on the worst forms of child labor.	2010 – 2013
Social Programs	Collect data on children involved in the worst forms of child labor, particularly those used in pickpocketing and commercial sexual exploitation in order to enhance policymakers' ability to identify problems more accurately and to address them more effectively.	2009 – 2013
	Promote Roma and other minority involvement in education by instituting support programs, culturally sensitive curriculum, and language barriers.	2013
	Expand efforts to assist Roma and other families to register for the proper citizenship documentation that entitles their children to access to school.	2011 – 2013
	Assess the impact of programs that serve children and vulnerable populations, including the Roma population, on the worst forms of child labor.	2013
	Institute programs, including long-term facilities, to address children's involvement in begging and pickpocketing rings.	2012 – 2013
	Improve the statistical capacity of social service centers to collect quality data on children working in forced begging and child victims of sexual exploitation, and ensure data on trafficking victims served by shelters is disaggregated between adults and children.	2012 – 2013

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